

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1, 4-14, and 16-34 were pending in the application, of which Claims 1, 11, 14, 21, and 29 are independent. In the Office Action dated April 5, 2005, Claim 12 was rejected under 35 U.S.C. § 112 and Claims 1, 4-14, and 16-34 were rejected under 35 U.S.C. § 102(b). Following this response, Claims 1, 11, 14, 21, and 29 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Change to Attorney Docket Number

Please note that the Attorney Docket Number for this application is now 60027.0445US01/BS 00406.

II. Rejection of the Claims Under 35 U.S.C. § 112, Second Paragraph

In the Office Action dated April 5, 2005, the Examiner rejected Claim 12 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. Claim 12 has been amended, and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter.

III. Rejection of the Claims Under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claims 1, 4-14, and 16-34 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,920,846 ("*Storch*"). Applicants respectfully traverse this rejection with respect to independent Claims 1, 14,

21, and 29. Claim 11 has been amended, and Applicants respectfully submit that the amendment to Claim 11 overcomes this rejection and adds no new matter. Support for the amendment to Claim 11 can be found at least in the specification in paragraph 22.

Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “verifying a first occurrence of access within a time period.”

Claims 14 and 21 each include a similar recitation. Claim 29 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “receiving the electronic message if access occurs for a first time within a predetermined time period.”

In contrast, *Storch* at least does not disclose the aforementioned recitations. For example, *Storch* discloses that a WFA/DO transmits an estimated time, repair report number, customer telephone number, wire center designation, scheduled appointment date and time, and customer address to a DUDAS 266. (See col. 81, lines 22-25.) DUDAS 226, as disclosed in *Storch*, determines if the repair report was previously received (e.g., appointment date or time changed, another report was issued, or customer changes trouble information.) (See col. 81, lines 25-28.) In *Storch*, an access first occurrence is not verified within a time period, rather DUDAS 226 merely determines if the repair report was previously received. *Storch*, does not disclose if the repair report was previously accessed or received within a time period, predetermined or otherwise.

Storch does not anticipate the claimed invention because *Storch* at least does not disclose “verifying a first occurrence of access within a time period”, as recited by Claim 1. Claims 14 and 21 each include a similar recitation. Furthermore, *Storch* does

not anticipate the claimed invention because *Storch* at least does not disclose “receiving the electronic message if access occurs for a first time within a predetermined time period”, as recited by Claim 29. Accordingly, independent Claims 1, 14, 21, and 29 each patentably distinguish the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 14, 21, and 29.

Amended Claim 11 is patentably distinguishable over the cited art for at least the reason that it recites, for example, a technician server configured for “receiving the generated electronic message, and sending the generated electronic message to an access device if the generated electronic message has been modified.”

In contrast, *Storch* at least does not disclose the aforementioned element. For example, *Storch* discloses determining if a repair report was previously received (e.g., appointment date or time changed, another report was issued, or customer changes trouble information.) (See col. 81, lines 25-28.). In *Storch*, sending the generated electronic message to an access device if the generated electronic message has been modified is not disclosed. Accordingly, amended Claim 11 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claim 11.

Dependent Claims 4-10, 12-13, 16-20, 22-28, and 30-34 are also allowable at least for the reasons described above regarding independent Claims 1, 11, 14, 21, and 29, and by virtue of their respective dependencies upon independent Claims 1, 11, 14, 21, and 29. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 4-10, 12-13, 16-20, 22-28, and 30-34.

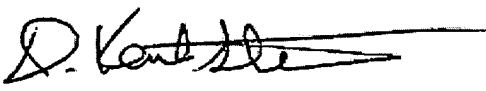
IV. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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